

REMARKS

The present amendment contains the same substantive amendments and remarks as those contained in the amendment filed on August 22, 2005. In addition, Applicants have included herein below a statement in an effort to clarify the record of the instant application.

Interview of December 2, 2005 and Advisory Action Mailed December 6, 2005.

In the Advisory Action mailed December 6, 2005, the Examiner indicated "[t]he Applicant get *[sic]* the date of 3 months from 9/9/05." Applicant has relied on the Examiner's indication and wishes to clarify that: (1) the final Office Action of June 7, 2005 was withdrawn and/or superseded by September 16, 2005 final Office Action so that the instant application did not go abandoned on the six-month date of December 7, 2005; and (2) that the date for response noted in the Interview Summary and attachment to the Advisory Action should be three months from September 16, 2005, i.e., the mailing date of the second final Office Action, rather than September 9, 2005.

Applicants respectfully request that the Examiner acknowledge (1) and (2) above in the next communication to the Applicant.

Substantive Remarks from Amendment filed August 22, 2005

Upon entry of the present Amendment, claims 1-2 and 4-17 will be pending. Claims 1, 5 and 10 will have been amended. The Examiner is respectfully requested to reconsider the Office Action of June 7, 2005.

The Examiner rejected claims 1, 2 and 4-17 under 35 U.S.C. § 103(a) as being unpatentable over Deo et al. (United States Patent No. 6,832,084) in view of Weiner (United States Patent No. 4,862,390). The Examiner asserted that Deo et al. teaches receiving one or more search parameters (interpreted to be "objects" by the Examiner in Deo et al.), identifying a folder based on one or more search parameters where the folders are part of a preexisting deck (interpreted as a "contact" folder which is in the preexisting decks of the wireless device), and performing menu navigation. The Examiner admitted that Deo et al. fail to teach the one or more parameters as being different from a menu navigation command of the wireless device.

Regarding this deficiency, the Examiner asserted that Weiner teaches this feature in its disclosure of one or more parameter letters, which are different from a menu navigation

command. The Examiner asserted that the motivation to combine Deo et al. and Weiner is that Deo et al. suggest navigation in a wireless environment and that it well know to navigate using keys on mobile devices and that Weiner teaches navigation by typing alphabetical characters to maneuver to a menu choice. Applicants respectfully traverse and submit that any proper combination of the prior art of record fails to anticipate or render obvious claims 1, 5 and 10, as amended.

Initially, Applicants respectfully disagree with the Examiner's interpretation of the term "object" in Deo et al. In particular, the Examiner asserted this term means the same as "parameters" in Applicants' invention. However, Deo et al. define "objects" as "incoming messages ... used to update data stored in memory store 54" (see, col. 8, lines 59-61). In contrast, "parameters" in Applicants' invention are keywords sent by the wireless device that are received by a wireless server (i.e., a remote server) (see, paragraph [0006]). Thus, the "parameters" of Applicants' invention are not received by the wireless device, rather they are sent.

In view of this distinction, Deo et al. fail to teach or disclose a wireless device that *sends* "parameters" to, e.g., a remote server. The functional description of the Deo et al. is directed to a wireless device that only *receives* information (see, col. 8, line 51, through col. 12, line 21). There is no discussion of sending any information to a wireless server that, in turn, updates a folder that is part of a preexisting deck maintained by the remote server, as recited in the claims of the instant invention.

Weiner fails to remedy the deficiencies of Deo et al. In particular, Weiner fails to teach at least a wireless device, a remote server, and a folder that is part of a preexisting deck. As such, any proper combination of Deo et al. and Weiner fails to teach each and every limitation recited in claims 1, 5 and 10.

Claims 1, 5 and 10 now more clearly recite the Applicants' invention. In particular, it is now more clear that the steps of receiving (claims 1 and 5) and the interface of claim 10 are performed at, or part of, a remote server, not the wireless device in contrast to the applied prior art. This feature of the invention is fully supported in the instant specification in, e.g., Fig. 1 and paragraph [0024]. In addition, the claims now recite that the remote server maintains the preexisting deck (see, paragraphs [0030]-[0031] and [0048]-[0050] for support

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therefor). In contrast, in the prior art, the preexisting deck is maintained in the wireless device, as asserted by the Examiner in page 3 of the Office Action of June 7, 2005.

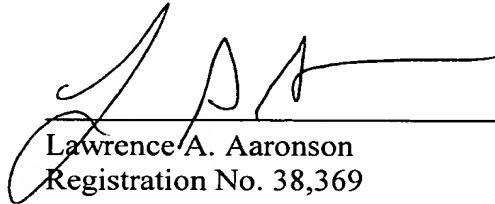
In view of the above, it is respectfully submitted that claims 1, 5 and 10 recite patentably distinct features over the prior art or record and are not anticipated or rendered obvious. With regard to claims 2, 4, 6-9 and 11-17, these claims add additional features and limitations in combination with their respective base claims (i.e., claims 1, 5 and 10) that are not disclosed or suggested by the prior art of record. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection of claims 1, 2, and 4-17 under 35 U.S.C. § 103(a).

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It is respectfully submitted that each and every claim now pending in this application patentably defines over the prior art of record. For all the foregoing reasons, Applicants respectfully submit that the instant application is in condition for allowance. Reconsideration of the present Office Action and an early Notice of Allowance are respectfully requested.

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